



January 17, 2008

SENATE BILL No. 83

DIGEST OF SB 83 (Updated January 16, 2008 11:33 am - DI 106)

Citations Affected: Noncode.

Synopsis: Motor vehicle violations report. Requires the prosecuting attorney of each county to transmit to the prosecuting attorneys council an abstract of each motor vehicle: (1) felony, misdemeanor, or infraction committed by a person who holds a commercial driver's license ("CDL"); or (2) felony or misdemeanor committed by a person who does not hold a CDL; filed with the prosecuting attorney during the previous calendar year. Requires the prosecuting attorneys council to compile the reports transmitted by the prosecuting attorneys into a statewide report and transmit the compiled report to the legislative council. Provides that the reporting ends January 1, 2014. (The introduced version of this bill was prepared by the interim study committee on transportation matters.)

Effective: January 1, 2009.

Wyss, Arnold, Steele

January 8, 2008, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.
January 16, 2008, amended, reported favorably — Do Pass.

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SB 83—LS 6175/DI 75+



January 17, 2008

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

SENATE BILL No. 83

A BILL FOR AN ACT concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE JANUARY 1, 2009] (a) As used in this
2 SECTION, "council" refers to the prosecuting attorneys council of
3 Indiana established by IC 33-39-8-2.

4 (b) As used in this SECTION, "motor vehicle offense" refers to:

5 (1) a felony, misdemeanor, or infraction relating to the
6 operation of a motor vehicle committed by a person holding
7 a commercial driver's license; or

8 (2) a felony or misdemeanor relating to the operation of a
9 motor vehicle committed by a person who does not hold a
10 commercial driver's license.

11 (c) Not later than April 1 of each year, the prosecuting attorney
12 of each county shall electronically transmit to the council an
13 abstract of each motor vehicle offense filed with the prosecuting
14 attorney during the previous calendar year, in a manner and
15 format designated by the council.

16 (d) The abstract of a motor vehicle offense reported under
17 subsection (c) must contain the following information:

18 (1) The date of the offense.

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1 (2) The motor vehicle offense charged in the:

2 (A) information;

3 (B) indictment;

4 (C) information and summons; or

5 (D) complaint and summons.

6 A reference to the statute violated is sufficient if the reference
7 clearly identifies the motor vehicle offense charged.

8 (3) The type of operator's license held by the person charged.

9 (4) The disposition of the case, including the following
10 information:

11 (A) Whether the prosecuting attorney withheld
12 prosecution against the accused person under IC 33-39-1.

13 (B) Whether action was deferred under IC 34-28-5.

14 (C) Whether the accused person was acquitted.

15 (D) Whether the accused person was convicted.

16 (E) Whether the accused person participated in a
17 pre-conviction forensic diversion program under
18 IC 11-12-3.7-11.

19 (F) Whether the operator's license of the accused person
20 was suspended.

21 (e) The council shall compile the reports transmitted under
22 subsection (c) into a report for the entire state. The compiled
23 report must include data for each of the following:

24 (1) All motor vehicle offenses for the year covered by the
25 report, broken out by each type of motor vehicle offense by
26 disposition.

27 (2) All motor vehicle offenses committed by persons who hold
28 a commercial driver's license or a commercial driver's license
29 learner's permit for the year covered by the report, broken
30 out by each type of motor vehicle offense by disposition.

31 The council shall transmit the compiled report to the legislative
32 council in an electronic format under IC 5-14-6 not later than
33 November 1 of each year.

34 (f) This SECTION expires January 1, 2014.

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COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred Senate Bill No. 83, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 4, after "to" insert ":

(1)".

Page 1, line 6, delete "." and insert "**committed by a person holding a commercial driver's license; or**

(2) a felony or misdemeanor relating to the operation of a motor vehicle committed by a person who does not hold a commercial driver's license."

and when so amended that said bill do pass.

(Reference is to SB 83 as introduced.)

STEELE, Chairperson

Committee Vote: Yeas 6, Nays 0.

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